

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT

2020 SEP -2 AM 4: 26

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

UNITED STATES OF AMERICA, :

Plaintiff, :

CASE NO. 2:15-cr-00081-001

v. :

JUDGE MARBLEY

THOMAS G. THOMPSON, :

Defendant. :

PRO SE MOTION OF DEFENDANT THOMAS G. THOMPSON
FOR MEDICAL TESTING

Defendant Thomas G. Thompson, pro se, respectfully moves this Court to issue an Order for specific medical testing, in order to bring to completion the testing anticipated under this court's previous order. (ECF No. 160). That order granted Mr. Thompson's motion (ECF 158), for a PET scan, a CT scan, an MRI of the head. and two repeat cardiopulmonary tests (CPETs).

The CPET test that was scheduled under the Court's order did not specify appropriate methodology, and was cancelled. The instant motion specifies valid exercise test methodology for assessing exertion intolerance in myalgic encephalomyelitis / chronic fatigue syndrome.

"To document and assess functional impairment due to the effects of post-exertional malaise on ME/CFS a 2-day CPET procedure has been used to first measure baseline functional capacity (CPET1) and provoke post-exertional malaise, then assess changes in CPET variables 24h later with a second CPET to assess the effects of post-exertional malaise on functional capacity."³

Defendant has been suffering from myalgic encephalomyelitis/chronic fatigue syndrome (ME/CFS) since the early 1990s. Diagnosis is based on symptoms: substantial reduction or

impairment in the ability to engage in pre-illness levels of occupational, educational, social or personal activities that persists for more than six months and is accompanied by fatigue, which is often profound, is of new or definite onset (not lifelong), is not the result of ongoing excessive exertion, and is not substantially alleviated by rest; post-exertional malaise, and unrefreshing sleep. ME/CFS will also result in cognitive dysfunction and/or orthostatic intolerance.

Recent research has shown that certain medical testing can aid in diagnosis and rule out other possible causes of symptoms. Defendant's physician and Dr. Martin T. Ryan, MD, (See Doc. 82), have both recommended a PET scan, CT scan, MRI of the head and two repeat cardiopulmonary exercise tests (CPETS) to aid in definitively diagnosing this disease. (see Doc 82).^{1,2} Repetition of the PET and CT scans and of the head MRI, and an additional panel of blood tests, will be helpful in assessing Defendant's current medical situation. These will be coordinated by Defendant's physician, who, at the request of the U.S. Marshal service, also performed the same role in prescribing the specifics for tests performed under this Court's previous order.

Both Ohio State University and University of Michigan can perform the tests requested above. Defendant will bear the expense.

In conclusion, Defendant respectfully moves this Court to issue an Order that the US Marshal Service collaborate with Defendant and his physician to select the specific tests to be administered, the method of administration, as well as the specific testing facility or facilities to conduct the tests, and to have Defendant transported for these tests. It is noted that FDC Milan usually provides local transportation of inmates for medical purposes, such as at the nearby University of Michigan.

Respectfully submitted,

¹ Twisk, FNM, "Accurate diagnosis of myalgic encephalomyelitis and chronic fatigue syndrome based upon objective test methods for characteristic symptoms". World Journal of Methodology, June 2015, 5(2), page 68.

² Keller, B., et al. "Inability of myalgic encephalomyelitis/chronic fatigue syndrome patients to reproduce VO2 peak indicates functional impairment." Journal of Translational Medicine 2014, 12:104, page 9.

³ Stevens, S, Keller, B., et al. "Cardiopulmonary exercise test methodology for assessing exertion intolerance in myalgic encephalomyelitis / chronic fatigue syndrome." Frontiers in Pediatrics. Sept. 4, 2018. (Exhibit A)

/s/
Thomas G. Thompson
07332-104
FDC Milan
PO Box 1000
Milan MI 48160

CERTIFICATE OF SERVICE

Defendant certifies that on this 1st day of September, 2020, a copy of the foregoing was filed with the Clerk of Courts, and will or should be served on all counsel of record through the Court's ESF system.